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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/737,209	12/17/2003	12/17/2003 Jun Sun		7681
21171 STAAS & HAL	7590 03/21/200 SEY LLP	EXAMINER		
SUITE 700		DIEP, NHON THANH		
WASHINGTO	RK AVENUE, N.W. N, DC 20005		ART UNIT	PAPER NUMBER
			2621	
			MAIL DATE	DELIVERY MODE
			03/21/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary		Appli	Application No.		Applicant(s)				
		10/73	7,209		SUN ET AL.				
		Exam	iner		Art Unit				
		Nhon	T. Diep		2621				
The MAILIN Period for Reply	IG DATE of this commun	cation appears or	the cover shee	t with the co	rrespondence ac	ldress			
WHICHEVER IS L - Extensions of time may after SIX (6) MONTHS - If NO period for reply is - Failure to reply within the Any reply received by the second sec	TATUTORY PERIOD FOONGER, FROM THE M be available under the provisions from the mailing date of this comm specified above, the maximum state set or extended period for reply the Office later than three months a strent. See 37 CFR 1.704(b).	AILING DATE OF of 37 CFR 1.136(a). In runication. tutory period will apply a will, by statute, cause the	THIS COMMU no event, however, may nd will expire SIX (6) No exapplication to become	INICATION. y a reply be time MONTHS from the ABANDONED	ely filed ne mailing date of this c (35 U.S.C. § 133).				
Status									
1)⊠ Responsive	to communication(s) file	d on <i>12 Februar</i> y	2008						
2a) ☐ This action i	` '	b)∏ This action							
′ =		<i>'</i> —		natters pros	secution as to the	e merits is			
<i>'</i> —	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.								
Disposition of Claim	·	· · · · · · · · · · · · · · · · · · ·	,,						
·		nnlication							
·	Claim(s) <u>1-32</u> is/are pending in the application.								
	4a) Of the above claim(s) is/are withdrawn from consideration.								
	5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected.								
	is/are objected to.	un and/or alastian	roquiromont						
6) Claim(s) <u>1-3</u>	<u>2</u> are subject to restriction	on and/or election	requirement.						
Application Papers									
9)☐ The specifica	ation is objected to by the	e Examiner.							
10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.									
Applicant may	not request that any object	tion to the drawing	(s) be held in abe	yance. See	37 CFR 1.85(a).				
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).									
11)☐ The oath or o	11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.								
Priority under 35 U.S	.C. § 119								
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 									
	n's Patent Drawing Review (P e Statement(s) (PTO/SB/08)	TO-948)	Paper I						

DETAILED ACTION

Election/Restrictions

Claim 1 is generic to the following disclosed patentably distinct species: the text change frame detection apparatus that uses a frame removing redundant video frame from given video frames by comparing the similarity between frames; the text change frame detection apparatus that uses a removal to remove frames without a text area; and the text change frame detection apparatus that uses frame removal unit to remove frame caused by image shifting. The species are independent or distinct because as disclosed the different species have mutually exclusive characteristics for each identified species. In addition, these species are not obvious variants of each other based on the current record.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g., searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 101 and/or 35 U.S.C. 112, first paragraph.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

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The election of the species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the election of species requirement, the election shall be treated as an election without traverse. Traversal must be presented at the time of election in order to be considered timely. Failure to timely traverse the requirement will result in the loss of right to petition under 37 CFR 1.144. If claims are added after the election, applicant must indicate which of these claims are readable on the elected species.

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the species unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other species.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations

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of an allowable generic claim as provided by 37 CFR 1.141.Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon T. Diep whose telephone number is 571-272-7328. The examiner can normally be reached on m-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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ND /Nhon T Diep/ Primary Examiner, Art Unit 2621